

Exhibit F

20-2-01568-34
 ORGSJ 52
 Order Granting Summary Judgment
 10715992



FILED
 SUPERIOR COURT
 THURSTON COUNTY, WA

2021 JUL 23 PM 12:21

LINDA MYHRE ENLOW
 THURSTON COUNTY CLERK

Hearing date: July 23, 2021
 Hearing time: 9:00 a.m.
 Judge/Calendar: Honorable Mary Sue Wilson

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
 IN AND FOR THE COUNTY OF THURSTON

TODD BRINKMEYER,

Plaintiff,

v.

WASHINGTON STATE LIQUOR AND
 CANNABIS BOARD,

Defendant.

NO. 20-2-01568-34

ORDER GRANTING SUMMARY
 JUDGMENT TO THE BOARD AND
 DENYING PLAINTIFF'S MOTION
 FOR SUMMARY JUDGMENT

~~[PROPOSED]~~

MSW

THIS MATTER came before the Court on Petitioner's Motion for Summary Judgment on July 23, 2021. Petitioner appeared by and through its attorneys, Miller Nash Graham & Dunn, LLP per Andy Murphy, and the Washington State Liquor and Cannabis Board (Board), Defendant, appeared by and through its attorneys, Robert W. Ferguson, Attorney General and Joshua Orf-Rodriguez, Assistant Attorney General. Having considered the Motion, the Declaration of Andy Murphy, Defendant's Response to the Motion, the Declaration of Rebecca Smith and any reply in support of the Motion with any supporting papers and the files and records herein, the Court is fully advised in the matter and FINDS:

1. There are no material facts in dispute and the Washington State Liquor and Cannabis Board is entitled to judgment as a matter of law.

ORDER GRANTING SUMMARY
 JUDGMENT TO BOARD AND
 DENYING PLAINTIFF'S MOTION

20-2-01568-34

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1 2. Plaintiff failed to meet its heavy burden to establish that Washington's Residency
 2 Requirement is unconstitutional under Washington's Privileges and Immunities
 3 Clause.

4 ~~a. Plaintiff does not present a justiciable case and lacks standing to bring a~~
 5 ~~challenge.~~ *msw*

6 ~~b. Plaintiff is not a Washington citizen and Article 1 Section 12 of the~~
 7 ~~Washington Constitution, the Privileges and Immunities clause, does not~~
 8 ~~apply to him.~~

9 ~~c. Plaintiff also failed to establish that a fundamental right of state citizenship is~~
 10 ~~at issue. As Washington can regulate the production and sale of marijuana to~~
 11 ~~the point of prohibiting it entirely, there is no fundamental right to engage in~~
 12 ~~the production or sale of marijuana.~~ *msw*

13 ~~d. Defendant has established that there are reasonable grounds that support~~
 14 ~~Washington's Residency Requirement.~~ *msw*

15 3. Plaintiff has failed to meet its burden and establish that the Board exceeded its
 16 statutory authority in promulgating WAC 314-55-020. WAC 314-55-020 is in accord
 17 with RCW 69.50.331 and RCW 60.50.342 *msw*

18 Now therefore, the Court ORDERS that:

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1 1. Summary Judgment is GRANTED to the Washington State Liquor and Cannabis
2 Board.

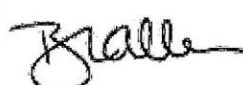
3 2. The Plaintiff's Motion for Summary is DENIED and his complaint is DISMISSED.

4 ORDERED THIS 23 day of July, 2021

5 
6 HONORABLE MARY SUE WILSON

7
8 Presented by:

9 ROBERT W. FERGUSON
10 Attorney General

11  Orf-Rodriguez
12 by Zoom 7/23/21

13 PENNY ALLEN, WSBA NO. 18821
14 JOSHUA ORF-RODRIGUEZ, WSBA No. 50101
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18 Joshua.Orf-Rodriguez@atg.wa.gov

Andy Murphy
for Brinkmeyer
by Zoom
7/23/21